

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
AT MARTINSBURG**

**LAFAWN DWAYNE BOBBITT,
Petitioner,**

v.

**CIVIL ACTION NO. 3:05CV99
(BROADWATER)**

**AL HAYNES,
Warden,
Respondent.**

ORDER ADOPTING REPORT AND RECOMMENDATION

On this day the above styled case came before the Court for consideration of the Report and Recommendation of Magistrate Judge John S. Kaull, dated May 8, 2006. The Petitioner filed objections which were received by the Court on May 16, 2006. After reviewing the above, the Court is of the opinion that the Magistrate Judge's Report and Recommendation (**Document 4**) should be and is hereby **ORDERED** adopted. The Court has conducted a *de novo* review of the matter.

The Court further **ORDERS**

- 1) that petitioner's petition (**Document 1**) filed pursuant to 28 U.S.C. § 2241(c)(1) is **DENIED and DISMISSED WITH PREJUDICE**; and
- 2) that the Clerk **STRIKE** this matter from the active docket of this Court.

The Clerk is directed to transmit true copies of this Order to the petitioner and all counsel of record herein.

DATED this 16th day of June 2006.


**W. CRAIG BROADWATER
UNITED STATES DISTRICT JUDGE**